

Legislative Update

Volume 1, Issue 4

January 28, 2005

■-□-■ WEEK IN REVIEW ■-□-■

This Week:

- Week In Review
- Feature Program:
Case Management
Program for Frail
Elderly (CMPFE)
- In the Legislature

Visit the Iowa
Department of Elder
Affairs online at
www.state.ia.us/elderaffairs

**“We simply must
do more as a state
to support non-
institutional
settings.”**

**- Kevin Concannon
Director of the
Department of
Human Services.**

The week began with a meeting of both the legislative long-term care task force and the National Governor’s Association workgroup.

Legislative long-term care committee:

- ❖ The committee discussed two overarching issues related to long-term care insurance; its affordability and the need for consumer education. Representatives from the Insurance Commission provided detailed information associated with the current experience in Iowa related to long-term care insurance. The committee suggested further studies be conducted and that the insurance commission continue to explore the creation of policy options with the insurance industry.
- ❖ The Department of Elder Affairs discussed its proposed legislation related to elder group homes. The vision of the department is to expand the capacity of elder group homes, by allowing the provision of health related care in residential environments serving three to five adults. There are currently 13 elder group homes in Iowa. Potential benefits of the proposal are: 1) to keep challenged older adults in single family homes in existing or newly developed neighborhoods; 2) to encourage building capacity of alternate service models that meet the needs of smaller rural communities; 3) to provide an exit strategy in the event a program fails (real estate can be resold as residential housing); and 4) to provide additional choices in Iowa’s Home and Community Based delivery system.
- ❖ The committee had a conversation related to the establishment of a blue ribbon panel to explore the coordination of administration of services for older Iowans.

National Governor’s Association Workgroup:

- ❖ The concept of a universal assessment continued to be discussed, its impact on existing systems and the concept of a universal assessment for all seniors versus that of a uniform

assessment of all seniors entering the long-term care arena at various stages. Discussed also were the Centers for Medicare and Medicaid (CMS) requirements that the organization selected by the State to provide the proposed assessments not also be a direct service provider. Language was added to the proposed legislation that will acknowledge CMS requirements. The technical assistance sub-committee is tentatively scheduled for 2:00 p.m., Friday, February 4th. Location to be announced. DEA will post the location of this meeting on its website at www.state.ia.us/elderaffairs as information becomes available.

Other Issues:

- ❖ DHS discussed its FY 2005 budget in detail. DHS continues to search for methods to contain the cost of Iowa's Medicaid program. Medications continue to be the fastest growing cost center in Iowa's Medicaid program, with expenditures nearing the 350 million dollar mark. Additional issues were explored as the Medicaid program will begin to interface with the implementation of Medicare part D, which will utilize a restricted drug formulary. Director Concannon noted specific concern related to qualifying individuals whom are experiencing a chronic mental illness and their ability to access necessary medications when Part D becomes effective. Director Concannon also discussed the need for the state to do more to support non-institutional settings.
- ❖ Senate File 15 (Increasing the Medicaid Personal Needs Allowance) was addressed in sub-committee. A fiscal note will be attached as the bill moves to the full standing committee.
- ❖ Senate Study Bill 1043 met in sub-committee. DIA presented its rationales for proposed changes related to health care facility violations and penalties. Senator Dotzler intends to hold additional sub-committee meetings on this issue.
- ❖ The Governor will be releasing his budget on Monday, January 31st. The Governor and Lt. Governor will lay out their proposed budget and take questions from the public at 4:00 p.m. at Waukee High School, 555 SE University., Waukee.

Regards,
Joel Wulf
DEA Legislative Liaison

■-□-■ ELDER AFFAIRS FEATURE PROGRAM ■-□-■ Case Management Program for the Frail Elderly

The Case Management Program for the Frail Elderly (CMPFE) is a coordinated system of care that allows Iowa's frail elderly to make choices regarding their long-term care services. The CMPFE program allows the consumer to choose home and community based services as an alternative to nursing facility placement. Area Agency case managers coordinate the delivery of needed services.

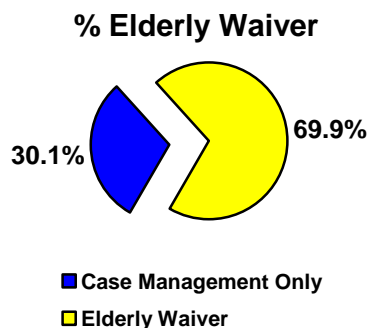
To be eligible for the Case Management program a consumer must:

- ❖ Be age 60 or older
- ❖ Live in Iowa
- ❖ Have a need for two or more services

The Iowa Department of Elder Affairs is the state agency responsible for the Case Management program. Iowa's 13 Area Agencies on Aging (AAA) are the local administrative entities.

During state fiscal year 2004, AAA case managers served over 12,562 elderly Iowans through the CMPFE program. Of the consumers who were in the Case Management program on June 30, 2004, 6,278 received Medicaid paid services through the Elderly Waiver Program.

Year-to-date figures for SFY 2005 reflect a 5.8% increase in consumers served when compared to the same time period in 2004.



CMPFE Activity SFY 2004

Consumers Served.....	12,562
Consumers Served-Monthly Average.....	8,654
Consumers Screened.....	7,472
Initial Assessments.....	4,326
Updated Assessments...	6,525
Total Assessments.....	10, 851

Visit the Iowa Family Caregiver website. Go to www.iowafamilycaregiver.org, or call 1-866-4-NURTURE (1-866-468-7887)

■-□-■ IN THE LEGISLATURE ■-□-■

The following is a listing of the bills the department is monitoring. If you would like more information on a particular bill, click on its number and you will be directed to the Iowa General Assembly online bill book.

House Files

For more information,
the Iowa Legislature
General Assembly
homepage is
www.legis.state.ia.us

[HF 2](#) An Act relating to the phase out of state income tax on pension income and providing a retroactive applicability date. (Ways & Means) Committee Members: Boal (C), Huser, Shoultz, Soderberg and Struyk.

[HF 12](#) A bill for an act relating to the reimbursement for services provided under a medical assistance home and community-based services waiver for the elderly. (Human Resources)

[HF 20](#) A bill for an act relating to the amount of personal needs allowance for residents of nursing facilities under the medical assistance program. (Human Resources)

[HF 22](#) A bill for an act relating to establishing standardized requirements for long-term care insurance policies. (Commerce)

[HF 24](#) A bill for an act relating to a phase-out of the state income taxation of social security benefits and providing a retroactive applicability date. (Ways & Means) Committee members: Boal (C), Huser, Shoultz, Soderberg, Struyk

[HF 26](#) A bill for an act phasing out the state income tax on social security benefits and on pension and retirement income and providing a retroactive applicability date. (Ways & Means) Committee members: Boal (C), Huser, Shoultz, Soderberg, Struyk

[HF 39](#) A bill for an act relating to enhancing the criminal penalty for offenses against a person sixty-five years of age or older. (Public Safety) Committee members: Rayhons (C), R. Olson, Van Engelenhoven

[HF 46](#) A bill for an act increasing the personal needs allowance for residents of nursing facilities under the medical assistance program. (Human Resources)

[HF 59](#) An Act providing for the determination of partisan balance on boards and commissions and including an applicability provision. (State Government) Committee members: Roberts (C), Jochum, Raecker



House Files *continued*

[HF 64](#) An Act relating to mandated coverage for mental health conditions, including substance abuse treatment services. (Human Resources)

[HF 69](#) An Act relating to the calculation of the amount of social security benefits received that are subject to individual income tax and including a retroactive applicability date provision. (Ways & Means)

[HF 87](#) A bill for an act relating to veterans, concerning employment preference and other related benefits. (State Government) Committee members: Jones, Greiner, Paulsen, Quirk and Whitead.

[HF 89](#) A bill for an act relating to third-party payment of health care coverage costs for mental health conditions, including alcohol or substance abuse treatment services. (Commerce)

[HF 109](#) A bill for an act concerning the determination of partisan balance on boards and commissions. (State Government) Committee members: Roberts, Jochum and Raecker

[HF 112](#) An Act concerning the use of moneys appropriated but unexpended for certain vacant state employee positions. (State Government) Committee members: Roberts, Bukta, Lensing, Paulsen, Raecker, T. Taylor

[HF 119](#) A bill for an act providing an appropriation for the older Iowans legislature. (Appropriations)

[HF 120](#) A bill for an act relating to substitute decision making and guardians and conservators, providing for the collection and appropriation of fees, and making an appropriation. (Human Resources) Committee members: Tomenga, Kurtenbach and Smith

[HF 140](#) A bill for an act relating to the senior living trust fund, providing for appropriation of the moneys in the fund, and providing for a repeal. (Human Resources)

Senate Files

[SF 3](#) An Act relating to payment of health care coverage costs for state employees for biologically based mental illness treatment services. (Commerce) Bolkcom and Iverson (C); McCoy and Wieck



[SF 5](#) An Act to require state agencies to accept public comments on proposed rulemaking in an electronic format. (State Government) Committee members: Connolly and Ward (C); Black and Kettering.

[SF 15](#) A bill for an act relating to the amount of personal needs allowance for residents of nursing facilities under the medical assistance program. (Human Resources)

[SF 16](#) A bill for an act relating to the reimbursement for services provided under a medical assistance home and community based services waiver for the elderly. (Human Resources)

[SF 19](#) A bill for an act relating to establishing standardized requirements for long-term care insurance policies. (Commerce) Committee members: Bolkcom and Wieck (C); Courtney and McKinley.

[SF 29](#) A bill for an act relating to the senior living trust fund, providing for appropriation of the moneys in the fund, and providing for a repeal. (Appropriations) Committee members: Angelo and Dvorsky (C)

[SF 30](#) An Act allocating funding appropriated to assist individuals assigned to active duty military service and providing effective and applicability date provisions. (Appropriations) Committee members: Miller and Warnstadt (C); Lamberti and Ragan

[SF 34](#) An Act providing an appropriation for the older Iowans legislature. (Appropriations) Committee members: Angelo and Dvorsky (C)

[SF 48](#) A bill for an act relating to third-party payment of health care coverage costs for mental health conditions, and including substance and alcohol abuse treatment services. (Commerce)

[SF 61](#) A bill for an act requiring the department of human services to report annually concerning the costs and benefits of various contracted services under the medical assistance program. (Human Resources)

[SF 64](#) A bill for an act relating to the use of marijuana for therapeutic purposes and establishing a marijuana therapeutic research program. (Judiciary)

[SF 66](#) A bill for an act requiring periodic review of administrative rules by administrative agencies. (State Government) Committee members: Brunkhorst, Kibbie, Connolly, and Kettering.

Senate Files *continued*

[SF 67](#) A bill for an act relating to requests for a regulatory analysis of administrative rules. (State Government) Brunkhorst, Kibbie, Connolly, and Kettering.

[SF 69](#) A bill for an act relating to wage discrimination by providing for the determination of wage discrimination, applicable remedies, and providing an effective date. (Business and Labor Relations)

Study Bills

[HSB 10](#) An Act relating to certain penalties for filing false affidavits under the state inheritance tax and increasing the amount of property that may be transferred to minors under certain conditions and including a retroactive applicability date provision. (Judiciary)

[HSB 22](#) An Act relating to the compensation of podiatrists under group health insurance policies or health maintenance organization contracts. (Human Resources)

[HSB 52](#) An Act allowing the exclusion of mandated health care benefit coverage in certain health insurance policies or contracts. (Commerce) Committee members: Hoffman (C), Horbach, Olson

[HSB 59](#) An Act relating to meetings of governmental bodies. (State Government) Committee members: Boal (C), Hutter, Whitead

[SSB 1004](#) An Act relating to certain penalties for filing false affidavits under the state inheritance tax and increasing the amount of property that may be transferred to minors under certain conditions and including a retroactive applicability date provision. (Judiciary) Committee members: Kreiman & Mckibben (C), Boettger, Hancock

[SSB 1037](#) An Act relating to appropriation matters by making, increasing, and reducing appropriations for the fiscal year beginning July 1, 2004, and providing effective and applicability date provisions.

[SSB 1041](#) An Act relating to the provision under a group health insurance policy or health maintenance organization contract for compensation of podiatrists. (Human Resources) Dotzler and Seymour (C); Gaskill, Wood

[SSB 1042](#) An Act relating to the membership of the council with which the director of human services consults regarding the medical assistance program. (Human Resources) Boettger & Bolkcom (C); Gaskill, Quirnbach

Study Bills *continued*

[SSB 1043](#) An Act relating to health care facility violations and penalties for such violations. (Human Resources)

[SSB 1044](#) An Act relating to third party payment of health care coverage costs for biologically based mental illness treatment services. (Human Resources) Ragan & Seymour (C); Dotzler, Tinsman

[SSB 1045](#) An Act concerning third party payment of health care coverage costs for mental health conditions, and including substance abuse treatment services. (Human Resources) Behn & Ragan (C); Dotzler, Seymour

[SSB 1054](#) An Act allowing the exclusion of mandated health care benefit coverage in certain health insurance policies or contracts. (Commerce) Committee members Bolkcom & Wieck (C), McCoy, Zaun

Pre-Filed Bills

Housing Assistance & Improvement Funds
Iowa Finance Authority

■-□-■ DISCLAIMER ■-□-■

This legislative update is provided in the spirit of information and education. The opinions expressed by the contributors do not necessarily reflect those of the department or its programs. The department shall not be liable for any damages that may result from errors or omissions in information distributed in this update.

The Legislative Update is distributed electronically during the legislative session by the Iowa Department of Elder Affairs for informational purposes only. Recipients of this update are encouraged to share it with others.

The current issue can also be found on the department's webpage, www.state.ia.us/elderaffairs/, under the "What's New at DEA" heading. Past issues are archived in the "Publications/Information" section.

If you are interested in receiving or discontinuing the legislative updates, contact Erin Haafke by email at erin.haafke@iowa.gov.

Our Mission:

To provide advocacy, educational, and prevention services to older Iowans so they can find Iowa a healthy, safe, productive, and enjoyable place to live and work.

